

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 2, 8, 10, 14, 16, 18, 22, 25-26, and 28-30 have been examined. Claims 4-7, 9, 11, 13, 15, 17, 19-21, 24, and 27 have been canceled without prejudice or disclaimer as being drawn to a non-elected invention. Applicant reserves the right to file a divisional application on the non-elected claims. Claims 1, 3, 12, and 23 are also canceled.

Accordingly, claims 2, 8, 10, 14, 16, 18, 22, 25-26, and 28-30 are all the claims pending in the application.

Claim rejections -- 35 U.S.C. § 102

Claims 2, 8, 10, 14, 15, 22, 25, 26 and 30 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ross, which is previously of record.

Each of claims 2, 8, 22, and 25 recite the feature of judging, at a time a request is made, whether a user who requested to transmit one or more of said electronic medical records of said patients has a second access right or not. The Examiner maintains that the security validation module 101 described at col. 6, lines 50-65 discloses judging whether a user who requested to transmit one or more of said medical records has a second right. However, Applicant respectfully submits that use of a password or smart card upon login, as described at the cited lines and in Fig. 2 of Ross, does not teach or otherwise disclose judging, at a time a request is made, whether a user who requested to transmit one or more of said electronic medical records of said patients has a second access right or not, as recited by each of the independent claims.

Accordingly, Applicant respectfully submits that claims 2, 8, 22, and 25 are patentable over Ross.

Claim rejections – 35 U.S.C. § 103

Claims 18, 28, and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ross in view of Wallace, which is previously of record.

Claims 18, 28, and 29 each depend from one of claims 2, 8, 22, and 25, which have been shown above to be patentable over Ross. Wallace does not cure the deficiencies discussed above. Accordingly, claims 18, 28, and 29 are patentable based on their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Appln. No.: 09/864,261

Attorney Docket No.: Q64716

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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